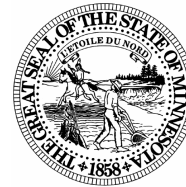




STATE OF MINNESOTA
Minnesota Department of
Commerce
Office of Energy Security
Issued: March 3, 2008



NOTICE OF PUBLIC HEARINGS
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION
REGARDING:

I.
CERTIFICATE OF NEED APPLICATION FOR THE ALBERTA CLIPPER AND
SOUTHERN LIGHTS DILUENT PROJECTS

(PL9-CN-07-465)

II.
APPLICATION FOR PIPELINE ROUTING PERMIT FOR THE ALBERTA
CLIPPER AND SOUTHERN LIGHTS DILUENT PROJECTS

(PL95/PPL-07-361)

This notice concerns applications to the Minnesota Public Utilities Commission (MPUC) by Enbridge Energy, Limited Partnership and Enbridge Pipelines (Southern Lights) L.L.C., (Enbridge) for a Certificate of Need (CON) and Pipeline Routing Permit (PRP). This notice provides the dates, times and locations for scheduled public hearings and a description of the issues to be considered at the public hearings. Any questions may be directed to the appropriate contact person identified below.

This notice can be made available in alternative formats (i.e., large print or audio tape) by calling 651-201-2202 (Voice) or 800-627-3529 (TTY relay service).

ISSUES TO BE CONSIDERED

Certificate of Need (CON). The CON proceeding examines the size, type and timing to determine whether the proposed pipelines are needed and in the public interest. The MPUC is authorized by Minn. Stat. §216B.243, subd. 2, to issue a CON if Enbridge can demonstrate that there is a need for the project.

Pipeline Routing Permit (PRP). The PRP proceeding determines the location of the pipelines. During this proceeding the impact that the proposed projects will have on humans and the environment and methods to minimize or mitigate those impacts, will be considered. A PRP

designates both where the pipeline may be built and specifies the conditions for right-of-way preparation, construction, and right-of-way restoration. The MPUC is authorized by Minn. Stat. §216G.02 to designate routes where pipelines may be built and issue PRPs.

PUBLIC HEARINGS

The Honorable Eric L. Lipman, an Administrative Law Judge (ALJ) from the Office of Administrative Hearings (OAH), will hold public hearings on behalf of the MPUC regarding the CON and PRP proceedings for the Enbridge Projects.

The hearings identified below will address need and routing issues for all projects for areas south and east of Clearbrook, Minnesota. Separate Certificate of Need and Pipeline Routing Permit hearings were held in November 2007 and January 2008 for the LSr Project and a portion of the Alberta Clipper Project north and west of Clearbrook in Kittson, Marshall, Pennington, Red Lake, Polk, and Clearwater counties.

Any person who would like to comment on the need or proposed route for the pipeline, or propose a minor location change or alignment modification within Enbridge's REVISED proposed route will have the opportunity to present evidence, recommendations and comments to the ALJ at any of the scheduled hearings identified below.

CONDUCT OF HEARING

At the start of each hearing session, the ALJ will explain the procedural rules for the hearing, including the sequence for providing testimony and questioning witnesses. Members of the public will be allowed to participate without the necessity of intervening as a party. Representation by legal counsel is permitted but not required. Participation includes: a) offering direct testimony; b) offering testimony or other material in written form at, or following the hearing; and c) questioning witnesses.

Any person who wishes to question a witness, but does not want to ask the questions, may submit questions in writing to the ALJ, who will then question the witness. Questions may be submitted during the hearing or may be sent to the ALJ in advance of the hearing. For more information about participation as a member of the public, contact the MPUC's or Minnesota Department of Commerce Office of Energy Security's (OES) public advisor (see information below).

The ALJ will conduct the public hearings in accordance with OAH procedural rules for the MPUC's energy facility permitting process (Minnesota Rules Chapters 1400 and 1405). Copies of the rules are available for review at the places identified in the "Information Available for Review" section of this notice and will be available at the public meetings and hearings. Copies may also be obtained from the OES as described below.

COMBINED CON AND PRP HEARING SCHEDULE

March 25-26 and April 8-9

COUNTY	CITY	HEARING LOCATION	DATE & TIME
CLEARWATER COUNTY	Clearbrook	City Hall (Band Room)	Tuesday, March 25, 10:00 a.m.
BELTRAMI COUNTY	Bemidji	Hampton Inn & Suites- Mississippi Room	Tuesday, March 25, 5:00 p.m.
BELTRAMI COUNTY	Bemidji	Hampton Inn & Suites- Mississippi Room	Wednesday, March 26, 10:00 a.m.
CASS COUNTY	Cass Lake	American Legion	Wednesday, March 26, 5:00 p.m.
ITASCA COUNTY	Cohasset	Cohasset Community Center	Tuesday, April 8, 5:00 p.m.
ST. LOUIS COUNTY	Floodwood	St. Louis Fair Building	Wednesday, April 9, 10:00 a.m.
CARLTON COUNTY	Carlton	Carlton County Transportation Center	Wednesday, April 9, 5:00 p.m.

NOTE: Prior to the start of each public hearing the OES Energy Facility Permitting (EFP) staff will be available to provide an overview of the CON, PRP and the hearing processes and describe how the public may participate in each of them.

Each of the hearings will continue until all persons have had the opportunity to present evidence and question witnesses. If needed, the hearing may be recessed and continued and additional hearing dates may be established by the ALJ in accordance with Minnesota Rules Parts 1405.1400 to 1405.2300.

PARTIES

For the certificate of need proceeding, there are three parties: Enbridge, the Minnesota Department of Commerce OES and the Minnesota Center for Environmental Advocacy (MCEA). MCEA and its witnesses will only be participating in the evidentiary portion of the Certificate of Need hearing scheduled for May 13 and 14, 2008 in St. Paul at the MPUC's Office. Enbridge and MCEA are the only parties to the PRP proceeding.

PUBLIC COMMENT PERIOD DEADLINES

The public hearing record will remain open following the hearings until 4:30 p.m. on April 21, 2008, to allow additional written comments from the public.

OVERVIEW OF ENBRIDGE PIPELINE PROJECTS

Enbridge seeks authorization to build two petroleum pipelines, shown on the accompanying map. The proposed projects are intended to increase crude petroleum transportation capacity between the oil sands in Western Canada and Midwestern refineries, and are a part of Enbridge's system expansion plans in Canada and the United States.

Alberta Clipper/Southern Lights Diluent Projects (Docket No. PL9/PPL-07-361): The Alberta Clipper Project is a 990-mile-long, 36-inch outside diameter crude oil pipeline between Hardisty, Alberta, Canada and Superior, Wisconsin, with approximately 285 miles of pipeline and associated facilities to be constructed in Minnesota, generally along Enbridge's existing pipeline right-of-way. The Alberta Clipper Project crosses 13 counties: (from west to east) Kittson, Marshall, Pennington, Red Lake, Polk, Clearwater, Beltrami, Hubbard, Cass, Itasca, Aitkin, St. Louis and Carlton. This line will transport approximately 450,000 barrels per day (bpd) of heavy crude oil from the Canadian oil sands to Midwest refineries. Enbridge plans to construct the Alberta Clipper Project in conjunction with the Southern Lights Diluent Project.

The Southern Lights Diluent Project is approximately 175 miles of new 20-inch outside diameter pipeline from Superior, Wisconsin to Enbridge's tank farm in Clearbrook, Minnesota, crossing Clearwater, Beltrami, Hubbard, Cass, Itasca, Aitkin, St. Louis and Carlton counties. Enbridge proposes to construct the Southern Lights Diluent Project generally along or adjacent to its existing pipeline right-of-way. When completed, this new pipeline will begin in the Chicago area and end at the Enbridge tank farm in Clearbrook, Minnesota. At Clearbrook, Enbridge will reverse the flow on one of its existing 18-inch liquid petroleum pipelines between Clearbrook, Minnesota and the Canadian border near Neche, North Dakota. The Southern Lights Diluent Project will allow Enbridge to transport a byproduct of the refining process from refineries in the Chicago area to the oil sands of Alberta, Canada, where it will be used to dilute the Canadian crude oil to enable it to flow through a pipeline.

ENBRIDGE'S PROPOSED PIPELINE ROUTE

Chapter 7852 of the Minnesota Rules requires the applicant to identify a preferred route. A route may have a variable width from the minimum required for the pipeline right-of-way

(approximately 50-75 feet) up to 1.25 miles. Enbridge initially identified a proposed route of 75 feet generally to the south side of its existing pipelines. On December 20, 2007, Enbridge changed its original proposed route to a REVISED PROPOSED ROUTE of 500 feet in width (minimum), centered approximately 25 feet south of Enbridge's existing southernmost pipeline. The width of the revised proposed route represents the area in which Enbridge is requesting to place the pipelines, not the amount of land required to install the pipelines. Enbridge states it intends to use, follow or parallel its existing pipelines and rights-of-way where possible, deviating from its existing right-of-way only where necessary in congested areas and around pumping stations. Enbridge has identified a preliminary location alignment within its REVISED Proposed Route, which is subject to change throughout the permitting process. In certain sections of the route, Enbridge has identified areas wider than 500 feet.

Land and Right-Of-Way Requirements. These pipelines will be placed alongside existing easements/right-of-way in most areas. When placed in this manner, the pipelines will require up to 75 feet of additional permanent right-of-way space next to Enbridge's existing pipelines. Temporary work space varying in width from 90 to 140 feet will be required in addition to the permanent easement to store excavated soil and pipe sections, move equipment and vehicles, and provide a safe work area to install the pipelines.

INQUIRIES AND PROJECT CONTACTS

Public advisors from the OES and MPUC have been appointed to assist and advise persons interested in taking part in the proceedings and will provide on request documents identified in this notice. However, the public advisors are not authorized to give legal advice. If you need an interpreter or need to make special arrangements to participate at the hearing, please contact the ALJ at the address provided below. For more information, contact one of the persons listed below:

Administrative Law Judge. Eric L. Lipman, Office of Administrative Hearings, P.O. Box 64620, St. Paul, MN 55164-0620. eric.lipman@state.mn.us; Fax: 651-361-7936, Tel: 651-361-7842.

Department of Commerce Office of Energy Security. The OES has designated staff member Larry Hartman (Tel: 651-296-5089 or larry.hartman@state.mn.us) as project manager and Deborah Pile (Tel: 651-297-2375 or deborah.pile@state.mn.us) as the public advisor for the PRP proceedings. You may contact them at: Department of Commerce, Office of Energy Security, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198. Other contact information: Toll-Free: 1-800-657-3794, Fax: 651-297-7891 or TTY: Minnesota Relay Services, 1-800-627-3529, and ask for the DOC.

OES Legal Counsel. Valerie M. Means for CON; Karen Finstad Hammel for PRP, Minnesota Attorney General's Office, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, MN 55101-2127; Fax: 651-297-1138; valerie.means@state.mn.us, Tel: 651-296-6170; karen.hammel@state.mn.us, Tel: 651- 297-1852

Minnesota Public Utilities Commission. The MPUC has designated staff member Bret Eknes (Tel: 651-201-2236 or bret.eknes@state.mn.us) as its project manager and public advisor for the CON proceeding. Mr. Eknes may be contacted in writing at: Minnesota Public Utilities Commission, 121 7th Place E., Suite 350, St. Paul, MN 55101-2147.

Project Mailing Lists

If you would like to have your name added to the MPUC route permit proceeding mailing list for the Alberta Clipper project (MPUC Docket PL9/PPL-361), you may register at: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=19203> or contact the OES staff at the address above.

The MPUC maintains a separate service list for the CON proceeding. To be placed on that list (MPUC Docket PL9/CN-07-465), mail, fax or email Robin Benson at Minnesota Public Utilities Commission, 121 7th Place E., Suite 350, St. Paul, MN 55101-2147, Fax: 651-297-7073 or robin.benson@state.mn.us.

Enbridge. Contact Enbridge's toll-free public information number at (866) 410-4356, or contact Enbridge's community relations representative: Kevin O'Connor (Tel: 612-347-7879 or kgoconnor@nrg-11c.com). Natural Resource Group, 80 S. 8th St., Suite 1000, Minneapolis, MN 55402.

Enbridge Legal Counsel. Kevin T. Walli, Fryberger, Buchanan, Smith & Frederick, P.A., The First National Bank Building, 332 Minnesota Street, Suite W-1260, St. Paul, MN 55101; kwalli@fryberger.com, Fax: 651-221-1035, Tel: 651-221-1044.

Minnesota Center for Environmental Advocacy. Janette K. Brimmer, Legal Director, Center for Environmental Advocacy, 26 East Exchange Street, Suite 206, St. Paul, MN 55101-1667, jbrimmer@mncenter.org, Fax: 651-2235967, Tel: 651-223-5969.

INFORMATION AVAILABLE FOR REVIEW

The following materials will be available for review on March 11, 2008, at public libraries in the cities of Hallock, Warren, Thief River Falls, Red Lake Falls, Fosston, McIntosh, Bagley, Bemidji, Park Rapids, Cass Lake, Walker, Bovey, Coleraine, Grand Rapids, Marble, Aitkin, McGregor, Duluth, Carlton and Cloquet, and at the DOC's office in St. Paul: **1)** Prefiled testimony of the parties including a comparative environmental analysis; **2)** Revised Preferred Route and Alignment maps and route alternative maps; **3)** Certificate of Need Rules for Oil Pipelines (Minnesota Rules, Chapter 7853); **4)** Pipeline Routing Rules (Minnesota Rules Chapter 7852); **5)** the Pipeline Routing Act (Minn. Stat. §216G); **6)** Office of Administrative Hearings Rules (Minnesota Rules Chapter 1405) for Hearings on Energy Facilities, and Chapter 1400, parts 5010 to 8400; and **7)** Enbridge's applications (Certificate of Need and Pipeline Routing Permit).

Application Availability. Copies of the application and the REVISED Preferred Route and Alignment Maps are also available for review at each regional development commission, soil and water conservation district, watershed district, auditor of each county, and the clerk of each

township and city crossed by the proposed pipeline. Please contact the appropriate office or person to review the applications.

Enbridge Energy Information Website. Please see <http://www.enbridge-expansion.com>. Contact Enbridge at 612-347-7879 to request a CD or print copy of the CON and PRP applications or the revised materials.

MPUC Information Websites. Information regarding the Enbridge Projects is available at: <https://www.edockets.state.mn.us/EFiling/home.jsp>. Type in 07-361 for information on the PRP proceeding or 07-465 for information on the CON proceeding. Information on the PRP proceeding is also available at: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=19203>.

MINNESOTA LAWS AND RULES GOVERNING PIPELINES

All applicable statutes and rules are on the State of Minnesota website at: <http://www.leg.state.mn.us/leg/statutes.asp>.

Certificate of Need. Under Minn. Stat. §216B.243, subd. 2, a facility cannot be sited or constructed in Minnesota unless the MPUC issues a CON to the Applicant. The CON rules pertinent to this filing are Minnesota Rules, Parts 7853.0010 to 7853.0800.

Pipeline Routing Permit. Under Minn. Stat. §216G.02, the proposed pipeline facilities cannot be sited or constructed unless the MPUC issues a PRP to the Applicant. The PRP application is being reviewed pursuant to Minn. Rules, parts 7852.0800 to 7852.1900.

Eminent Domain. Enbridge will have the authority upon issuance of a CON and a PRP under Minnesota laws (Minn. Stat. 117.48) to use eminent domain to acquire the right-of-way necessary to construct and operate the proposed pipelines and associated facilities.

Agricultural Mitigation Plan. Minnesota Statute Section 216E, subd. 3. (b) gives the Department of Agriculture (DOA) the responsibility for development of the agricultural mitigation plan required for this project. The DOA may participate and advise the MPUC as to whether to grant a permit for the project and the best options for mitigating adverse impacts to agricultural lands if the permit is granted.

Enbridge has consulted with the Minnesota Department of Natural Resources (MDNR) regarding state threatened and endangered species and will apply to the MDNR for a License to Cross Public Waters. Enbridge will be consulting with, and applying to, the Minnesota Pollution Control Agency (MPCA) regarding Section 401 water quality certifications.

FEDERAL LAWS AND RULES GOVERNING PIPELINES

Enbridge has filed other required permit applications with the U.S. Department of State for a Presidential Permit for Cross-Border Crossing, the United States Army Corps of Engineers (USACE) for wetland and waterbody crossing permits, the U.S. Forest Service for an amended Special Use Permit. In addition, Enbridge is consulting with the USACE and State and Tribal

Historic Preservation Officers regarding compliance with Section 106 of the National Historic Preservation Act, and with the U.S. Fish and Wildlife Service and the U.S. Forest Service regarding compliance with Section 7 of the Endangered Species Act.

Presidential Permit for Cross-Border Crossing. The proposed pipeline project falls under the jurisdiction of the U.S. Department of State (as designated by Executive Order) and explained on their website under the Energy Policy, Pipeline Permits, Non-Agricultural Commodities portion of the website (<http://state.gov/e/eeb/c9982.htm>).

Section 404 and Section 10 Authorization. The proposed projects are subject to jurisdiction by the USACE under section 404 of the Clean Water Act and section 10 of the Rivers and Harbors Act. Additional information on these permit programs is available on the USACE website (<http://www.mvp.usace.army.mil/regulatory/>).

The Department of Commerce, Office of Energy Security, represents the public interest in certificate of need and other proceedings before the MPUC. The OES provides two separate and distinct roles with two separate and distinct staffs. The OES's Energy Planning and Advocacy function and staff serve as the state agency charged with advocating for the public interest in CON proceedings. The OES's Energy Facilities Permitting function and staff serve as the facilitators of the processes required in route permitting proceedings as well as ensuring that the route permitting record is complete for the Commission's decision.

